

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

12 MISC 00104

In re Application Pursuant to 28 U.S.C. § 1782 of
OKEAN B.V. and LOGISTIC SOLUTION
INTERNATIONAL LIMITED,

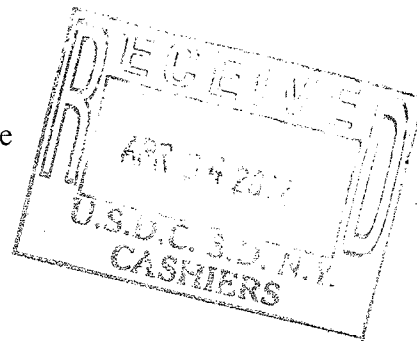
Petitioners,

– to take discovery of –

CHADBOURNE & PARKE LLP,

Respondent.

Case No.
ECF Case



**APPLICATION FOR ORDER TO TAKE DISCOVERY FROM
CHADBOURNE & PARKE LLP PURSUANT TO 28 U.S.C. § 1782**

Okean B.V. and Logistic Solution International Limited (collectively, “Okean”) respectfully move for an order pursuant to 28 U.S.C. § 1782 (“Section 1782”) allowing them to issue subpoenas pursuant to Federal Rules of Civil Procedure 30 and 45 directing Chadbourne Parke LLP (“Respondent”) to produce documents for use in an action brought by Okean and pending in the District Court of Amsterdam in The Netherlands.

Okean’s application meets all of the statutory and discretionary requirements necessary to obtain discovery under Section 1782. Respondent resides and can be found in this district, and Okean seeks the discovery for use in prosecuting a proceeding that is pending in The Netherlands’s District Court of Amsterdam. In addition, Respondent is not a party to the litigation in Amsterdam, Okean is not attempting to circumvent the requirements of the District Court of Amsterdam, the Dutch courts are receptive to this form of discovery, and the discovery sought is not unduly burdensome or intrusive. In further support of this application, Okean relies on its memorandum of law and the Declaration of Deborah A. Skakel with accompanying exhibits submitted herewith. A proposed Order is submitted herewith.

WHEREFORE, Okean respectfully requests that this Court enter an order:

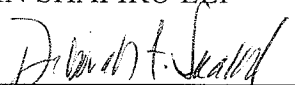
1. Granting Okean's application for discovery from Respondent pursuant to 28 U.S.C. § 1782;
2. Authorizing Okean to take discovery from Respondent relating to the issues identified in its application, including: (a) issuing the subpoena for the production of documents by Respondent in the form attached to the proposed Order as Exhibit A; and (b) issuing additional subpoenas for the production of documents as Okean may reasonably deem appropriate and as are consistent with the Federal Rules of Civil Procedure;
3. Directing Respondent to comply with such subpoenas in accordance with the Federal Rules of Civil Procedure and the Rules of this Court;
4. Appointing Okean's counsel to issue, sign and serve such subpoenas upon Respondent; and
5. Ordering Okean to deliver copies of this Order and any subpoenas issued pursuant to this Order to the civil proceedings pending in the Netherlands.

Dated: New York, New York
April 4, 2012

Respectfully submitted,

DICKSTEIN SHAPIRO LLP

By:


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*Attorneys for Petitioners Okean B.V. and
Logistic Solution International Limited*